

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ALBERT C. BURGESS, JR.,)	
)	
Plaintiff,)	
)	
v.)	1:11CV316
)	
DAVID B. WILLIAMS, et al.,)	
)	
Defendants.)	

O R D E R

Following this court's entry of an Order (Docket Entry 11), Plaintiff filed a Motion for Reconsideration (Docket Entry 12). The Recommendation of the United States Magistrate Judge thereafter was filed with the court in accordance with 28 U.S.C. § 636(b) and, on April 16, 2012, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636. Plaintiff did, however, file a document entitled "Notice to the Court" (Docket Entry 16) in which he "objects to the participation of the magistrate judge as he is biased and prejudiced against this Plaintiff and has abused the power and trust given to him by the Chief Judge."

The court finds no basis to order recusal and hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's pro se Motion to Reconsider (Docket Entry 12) is **DENIED**.

IT IS FURTHER ORDERED that this action is dismissed without prejudice under Federal Rule of Civil Procedure 41(b). A Judgment

dismissing this action will be entered contemporaneously with this Order.

This 31 May 2012.



W. Earl Britt
Senior U.S. District Judge